



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: January 6, 2026

RE: **ZONING-25-000044 7-Eleven 34077 (Lloyd Ave) (Milton/District 4)**

DuPage County Board: January 13, 2026: *(If the County Board seeks to approve the Variation zoning relief it will require a $\frac{3}{4}$ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Board of Appeals)*

Development Committee: January 6, 2026: The Motion to Approve failed relative to the following zoning relief:

1. Conditional Use to allow a video gaming terminal establishment in a B-1 Local Business Zoning District.
2. Variation to allow a video gaming terminal establishment within 1,000 feet of a school and daycare.

Development Committee VOTE (Motion to Approve Failed): 2 Ayes, 3 Nays, 1 Absent

Zoning Board of Appeals: December 4, 2025: The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Conditional Use to allow a video gaming terminal establishment in a B-1 Local Business Zoning District.
2. Variation to allow a video gaming terminal establishment within 1,000 feet of a school and daycare.

ZBA VOTE (to Deny): 6 Ayes, 0 Nays, 0 Absent

FINDINGS OF FACT:

1. That petitioner testified that the subject zoning relief is for a Conditional Use to allow a video gaming terminal establishment in a B-1 Local Business Zoning District and a Variation to allow a video gaming terminal establishment within 1,000 feet of a school and daycare.
2. That petitioner testified that the subject property is located at the intersection of Butterfield Road and Lloyd Avenue.
3. That petitioner testified that the proposed location of 7-Eleven 34077 (Lloyd Ave) video gaming terminal establishment is located within 1,000 feet of the Monarch Montessori Preschool, which is located approximately 194 feet from the subject property, and the Next Generation Child Care, which is located approximately 201 feet from the subject property.
4. That petitioner testified that the property has been operating video gaming since February of 2022.
5. That petitioner testified that the proposed video gaming devices are locked behind a barricade and only customers who show valid photo identification and 21 years or older are allowed to enter and play.
6. That petitioner testified that the video gaming use has less than 50 gaming customers a day; in comparison to the typical convenience store customers that come into the store every day. The petitioner testified that the customers typically play for less than 30 minutes and leave.
7. That petitioner testified that they serve liquor (beer/wine) for consumption on the property.
 - a. That petitioner testified that although they serve liquor, most video gaming customers do not order alcoholic beverages. Additionally, if an alcoholic drink is purchased it must be consumed on-site as they can not leave with the drink. The petitioner testified that the consumption of alcoholic beverages is closely monitored and regulated, similar to a bar.

STANDARDS FOR VARIATIONS:

1. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.
2. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not impair an adequate supply of light and air to adjacent property.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not increase the hazard from fire or other dangers to said property.

- c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** that the proposed Variation will not diminish the value of land and buildings throughout the County.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not unduly increase traffic congestion in the public streets and highways.
- e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not increase the potential for flood damages to adjacent property.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not incur additional public expense for flood protection, rescue, or relief.
- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** sufficient evidence that the proposed video gaming café restaurant will not impair the public health, safety, comfort, morals, or general welfare.

STANDARDS FOR CONDITIONAL USES:

- 1. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically, that the granting of the Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** that the proposed video gaming terminal establishment would impair an adequate supply of light and air to the adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** that the proposed video gaming terminal establishment would not increase the hazard from fire or other dangers to said property.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** that the proposed video gaming terminal establishment will not diminish the value of land and buildings throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** that the proposed video gaming terminal establishment will not unduly increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** that the proposed video gaming terminal establishment will not increase the potential for flood damages to adjacent property.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** that the proposed video gaming terminal establishment will not incur additional public expense for flood protection, rescue or relief.

- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** that the proposed video gaming terminal establishment will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

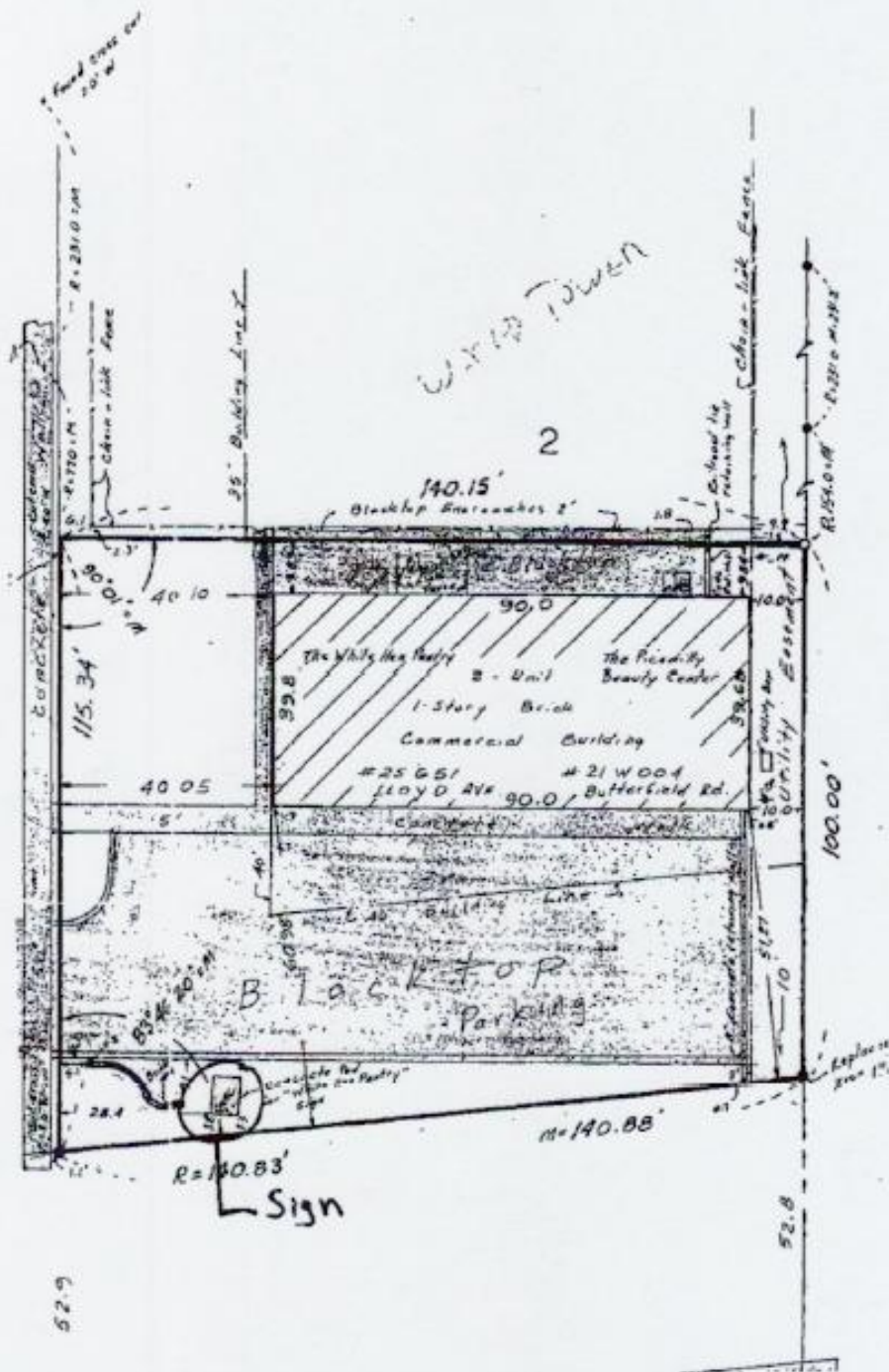
PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000044 7-ELEVEN 34077 (LLOYD AVE)	
ZONING REQUEST	1. Conditional Use to allow a video gaming terminal establishment in a B-1 Local Business Zoning District. 2. Variation to allow a video gaming terminal establishment within 1,000 feet of a school and daycare.	
OWNER	ANTHONY GARBIS, 204 S VINE ST, HINSDALE, IL 60521	
ADDRESS/LOCATION	2S651 LLOYD AVE LOMBARD IL 60148	
PIN	05-25-412-023	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	B-1 LOCAL BUSINESS	LOCAL COMMERCIAL
AREA	0.35 ACRES (15,246 SQ FT)	
UTILITIES	WATER/SEWER	
PUBLICATION DATE	Daily Herald: SEPTEMBER 30, 2025	
PUBLIC HEARING	WEDNESDAY, OCTOBER 15, 2025	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	<i>No Comments Received.</i>	
Stormwater:	Our office has no jurisdiction in this matter.	
Public Works:	"DPC Public Works doesn't own any sewer or water mains in this area."	
EXTERNAL:		
Village of Downers Grove:	Objects. See attached.	
Village of Lombard:	Objects. See attached.	
Village of Glen Ellyn:	<i>No Comments Received.</i>	
Milton Township:	<i>No Comments Received.</i>	
Milton Township Highway Dept:	No objections. Additional information may be required at time of permit application.	
Glenbard Fire District:	<i>No Comments Received.</i>	
Sch. Dist. 44:	<i>No Comments Received.</i>	
Sch. Dist. 87:	<i>No Comments Received.</i>	
Forest Preserve:	<i>No Comments Received.</i>	

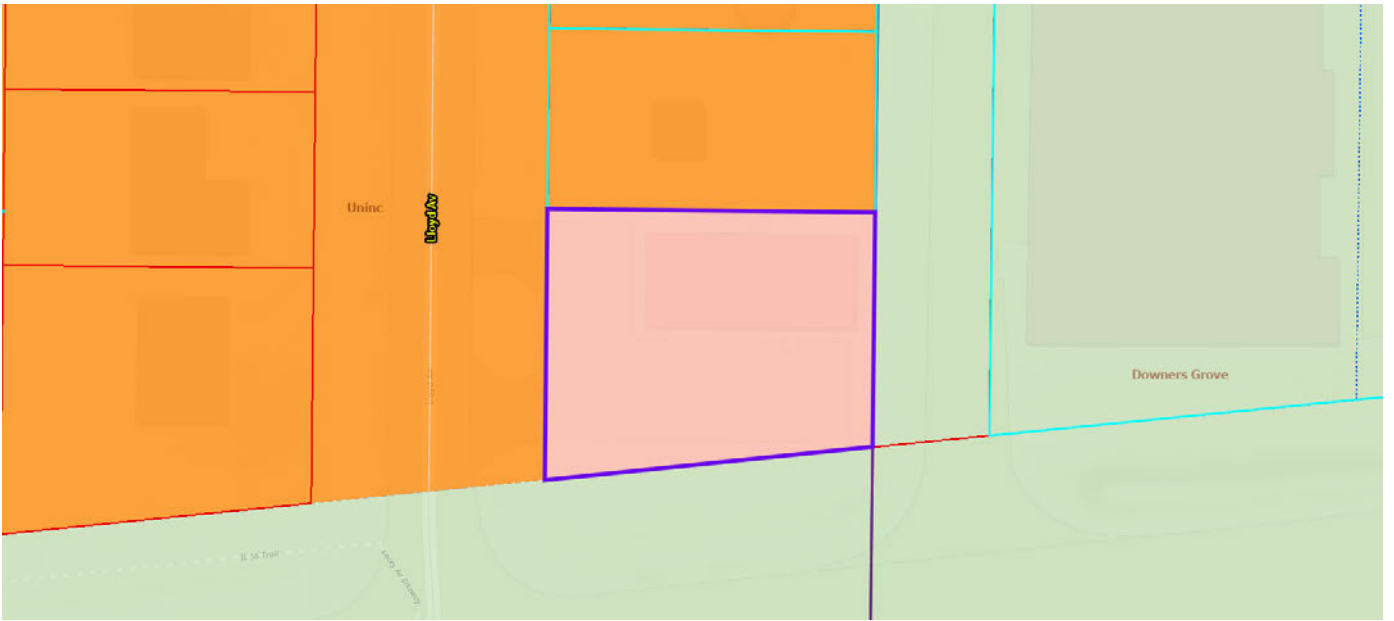
LAND USE:

Location	Zoning	Existing Use	LUP
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Subject	B-1 LOCAL BUSINESS	COMMERCIAL	LOCAL COMMERCIAL
North	R-4 SINGLE FAMILY	RESIDENTIAL	0-5 DU AC
South	VILLAGE OF DOWNERS GROVE	COMMERCIAL	VILLAGE OF DOWNERS GROVE
East	VILLAGE OF DOWNERS GROVE	COMMERCIAL	VILLAGE OF DOWNERS GROVE
West	R-4 SINGLE FAMILY	RESIDENTIAL	0-5 DU AC



[illegible]







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DU PAGE COUNTY ZONING BOARD OF APPEALS Zoning Petition ZONING-25-000044 7-ELEVEN 34077 (LLOYD AVE)

Please review the information herein and return with your comments to:
Ashlyn Kirby, DuPage County Building and Zoning Department, 421 North County Farm Road,
Wheaton, Illinois 60187; or via email at Ashlyn.Kirby@dupagecounty.gov or via facsimile at
630-407-6702 by _____.

COMMENT SECTION:	
<input type="checkbox"/> : OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE PETITION	
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION.	
<input type="checkbox"/> : ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
<input checked="" type="checkbox"/> : I OBJECT/HAVE CONCERNS WITH THE PETITION.	

COMMENTS: Please see the attached letter.

SIGNATURE: _____ **DATE:** 10/7/25
MUNICIPALITY: _____

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TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	B-1 LOCAL BUSINESS	LOCAL COMMERCIAL
AREA	0.35 ACRES	
UTILITIES	WATER / SEWER	
PUBLICATION DATE	Daily Herald: September 30, 2025	
PUBLIC HEARING	WEDNESDAY, OCTOBER 15, 2025	

PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.



downers.us

CIVIC CENTER
850 Curtiss St.
Downers Grove, IL
60515-4761

MAIN 630.434.5500
POLICE 630.434.5600

FIRE DEPT
Administration
5420 Main St.
Downers Grove, IL
60515-4834

630.434.5980

PUBLIC WORKS
5101 Walnut Ave.
Downers Grove, IL
60515-4046

630.434.5460

October 6, 2025

Ashlyn Kirby
DuPage County Building and Zoning Department
421 North County Farm Road
Wheaton, IL 60187

Re: ZONING-25-000043 7-ELEVEN
PIN 08-13-200-022
Address 2304 Maple, Avenue Downers Grove, IL 60515

ZONING-25-000044 7-ELEVEN
PIN 05-25-412-023
Address 2S651 Lloyd Avenue, Lombard, IL 60148

Staff has had the opportunity to review the cases for 2304 Maple and 2S651 Lloyd Avenue. The Village of Downers Grove has an opinion in this matter because of the case's close proximity to the municipal boundary, or location within the Village's planning area. The petitioner is proposing a variances and a conditional use as noted below:

For ZONING-25-000043 7-ELEVEN

1. Variation to allow a video gaming terminal establishment within 1,000 feet of a place of assembly and daycare.
2. Variation to allow a video gaming terminal establishment within 1,000 feet of an existing video gaming café restaurant/video gaming terminal establishment.

For ZONING-25-000044 7-ELEVEN

1. Conditional Use to allow a video gaming terminal establishment in a B-1 Local Business Zoning District.
2. Variation to allow a video gaming terminal establishment within 1,000 feet of a school and daycare.

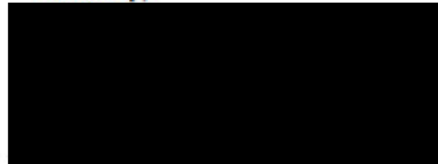
No summary was provided to determine the specifics of the proposed project, beyond the proposed site plan. If variances or a conditional use is being requested for these case, no evidence of meeting the required standards was provided. Staff has the following comments and concerns:

1. The Village of Downers Grove expressly prohibits Video Gaming throughout the Village with the exceptions as noted in VoDG Sec 3.33 Prohibited Activities On Licensed Premises.
2. The County of DuPage Ordinance specifically prohibits video gaming terminals within a certain distance of sensitive uses, such as schools, daycares and assembly uses.

The Village of Downers Grove does not recommend approval of the variances or conditional use as they would not meet the Village requirements as stated above. Furthermore the County's Zoning Ordinance intentionally provides separation of video gaming terminals from sensitive uses such as schools, daycare or assembly uses. The Village is concerned what precedent this can create for similar requests in the future and the proximity of both uses. Furthermore, the Village is interested to understand if the affected school, daycare and assembly uses were contacted about the case.

The Village of Downers Grove asks DuPage County to deny the request since the proposed use would vary from the existing characteristics of the immediate neighborhood and zoning districts, in addition to the protections that are placed in the County Ordinance to separate the proposed use from schools, daycares and assembly uses. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Jason Zawila, AICP
Planning Manager
Community Development Department

Cc: Stan Popovich, Community Development Director



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

October 9, 2025

Village President
Anthony Puccio

Village Clerk
Ranya Elkhatab

Trustees
Brian LaVaque, Dist. 1
Jessie Hammersmith, Dist. 2
Bernie Dudek, Dist. 3
Patrick Egan, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Robert J. Kartholl, Chairman
DuPage County Zoning Board of Appeals
421 North County Farm Road
Wheaton, Illinois 60187

RE: DuPage County Public Hearing 25-000044
7-Eleven 34077- 2S651 Lloyd Ave
Village of Lombard Comments

Dear Chairman, Kartholl:

The Village of Lombard is in receipt of the public hearing notice regarding Zoning Board of Appeals (ZBA) Case 25-000044, a request for conditional use and variations, associated with a proposed video gaming establishment in a B-1 Local Business Zoning District within 1,000 feet of a school and daycare, located at 2S651 Lloyd Avenue.

Per the public hearing notice, the Village recognizes that the petitioner is seeking a conditional use and variations to allow video gaming at a 7-Eleven located at 2S651 Lloyd Avenue. Although the subject property is not within the corporate limits of the Village of Lombard, it is positioned inside Lombard's planning boundary. As such, the request does not comply, pursuant to the Village's Code of Ordinances and the Village offers the following:

Classification

The Village Board approved certain classifications that allow the use of video gaming.

Section 112.12(A)

1. Currently there are no liquor license classifications providing for "convenience stores, no packaged sales, consumption on premises".
2. All Video Gaming licenses are for liquor license locations with consumption on premises and there are no video gaming licenses for locations that are packaged goods only.

Restrictions on licenses

There are certain restrictions on all liquor licenses with the video gaming component.

Section 112.18(D)

(D) The following restrictions apply to all liquor licenses which allow for and authorize the operation of video gaming terminals upon the licensed premises:

- (1) The operation of video gaming terminals shall not be permitted during the hours alcoholic liquor sales are prohibited, as provided in § 112.36 of this Code.
- (2) As required by the Illinois Video Gaming Act, video gaming is prohibited in any establishment located within 100 feet of any school (as defined in the Illinois Video Gaming Act) or place of worship.
- (3) As required by the Illinois Video Gaming Act, video gaming shall be located in an area that is restricted to persons 21 years of age or older.
- (4) As required by the Illinois Video Gaming Act, the total number of video gaming terminals located in the establishment shall not exceed six (6).
- (5) The establishment shall comply with all of the village's sign regulations and it shall be unlawful to advertise for video gaming via a sign visible from any street, alley or public right-of-way within the village. This includes temporary or permanent signage that may include a business name, name, identification, description, display, illustration or attention-getting device which is affixed to or painted or represented directly or indirectly upon a building or other outdoor surface or lot, and which directs attention to a person, business, product, service, place, organization or entertainment.
- (6) The establishment shall be required to install, operate and maintain a video camera surveillance system capable of recording clear and unobstructed photographic representations of the segregated area of the establishment where the video gaming terminals are located, and shall retain the video recordings produced therefrom for a minimum of 30 days. Said video recordings shall be subject to inspections by the Village's Police Department upon request therefor.
- (7) The establishment shall be equipped with a direct connect burglar alarm system to the Village's Police Department, or to such other location as directed by the Village's Police Department, to address instances of unpermitted entry into the establishment.
- (8) The percentage of income received from Video Gaming shall not exceed 49 percent of the establishment's gross revenue. The liquor licensee shall be prepared to establish that the liquor licensee has met the 49 percent standard upon the request of the Village and this determination shall be based upon, but not be limited to, audited financial statements, corporate financial reports, tax return information, State liquor license reports, or any other form of documentation/information deemed acceptable by the village. At the village's discretion, each liquor licensee shall be subject to an annual audit to verify compliance with this subsection.
- (9) As required by the Illinois Video Gaming Act, all video gaming terminals shall be located in a segregated area which shall be accessible only to persons over 21 years of age. Applicants shall

DuPage County Public Hearing 25-000044
7-Eleven 34077- 2S651 Lloyd Ave
Village of Lombard Comments

submit a site plan clearly indicating the proposed location of all video gaming terminals and the type of barrier to be utilized to segregate the area; provided however, that such barrier shall not obstruct the view of the video gaming area, which shall be visible to an employee of the liquor licensee, who is over 21 years of age, at all times.

- (10) The liquor licensee applicant/business establishment must be in good standing with the village at the time of the application for a liquor license which allows for the operation of video gaming terminals on the licensed premises. To be in "in good standing":
- (a) the liquor license applicant shall owe no sums of money to the Village at the time of submitting an application for a liquor license which allows for the operation of video gaming terminals on the licensed premises;
 - (b) the liquor license applicant shall have had no violations causing a suspension of its liquor or business license in the 12 months prior to submitting an application for a liquor license which allows for the operation of video gaming on the licensed premises; and
 - (c) the liquor license applicant shall be in compliance with all dram shop and video gaming laws, rules and regulations of the village and the State of Illinois.
- (11) The liquor license applicant shall have operated a business with a liquor license on the premises for which a video gaming liquor license is sought for at least 24 consecutive months at the time of application. This requirement may be waived by legislative action of the Village Board for good cause shown.

After reviewing the proposed conditional use and variations, the Village of Lombard realizes that the submitted petition and the supplemental information received to date from DuPage County does not comply with the existing licensing provisions of the Village.

Please include this letter as part of the case file and advise the DuPage County Zoning Board of Appeals of the Village's position with respect to this matter.

Respectfully,



Sheila York
Business Administrative
Village Clerk's Office